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Attorneys for Defendant
BEST OVERNITE EXPRESS, INC.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JOHN BROCKMAN, an individual,)	Case No. 08 CV 0257 LAB JMA
)	
Plaintiff,)	
)	(PROPOSED) ORDER ON JOINT MOTION
v.)	FOR DISMISSAL
)	
BEST OVERNITE EXPRESS, INC., A)	
CALIFORNIA CORPORATION; and)	
DOES 1 through 10, inclusive,)	
)	
Defendants.)	
)	
)	

Based upon the joint motion of the parties hereto, plaintiff John Brockman and defendant Best Overnight Express, Inc., through their respective counsel of record,

IT IS HEREBY ORDERED that the entire action is dismissed with prejudice and that each party is to bear its own costs of litigation.

Dated: _____, 2008

Judge, United States District Court

PROOF OF SERVICE

I, **Kathleen C. Jeffries**, am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 2 North Lake Avenue, Suite 460, Pasadena, California 91101.

On, June 4, 2008, I served the foregoing document described as **ANSWER OF DEFENDANT BEST OVERNITE EXPRESS, INC. TO COMPLAINT OF PLAINTIFF JOHN BROCKMAN** on interested parties in this action by placing a √ true copy/ the original thereof enclosed in a sealed envelope addressed as follows:

Mr. Michael Tracy
Law Offices of Michael Tracy
2030 Main Street, Suite 1300
Irvine, California 92614
(Attorney for plaintiff John Brockman)

√ **(BY MAIL)** I deposited such envelope in the mail at Pasadena, California. The envelope was mailed with postage thereon fully prepaid.

√ I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Pasadena, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

√ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on June 4, 2008, at Pasadena, California.

 /s/
Kathleen C. Jeffries